



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

January 12, 2006

Representative David L. Babson Jr., Chairman
Environment and Agriculture Committee
Legislative Office Building, Room 303
Concord, NH 03301

SUBJECT: HB 1433, an act establishing a committee to study secured landfills

Dear Chairman Babson and Members of the Committee:

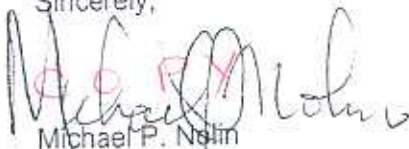
HB 1433 seeks to establish a committee to study whether the state can properly operate secured landfills to be used primarily for the disposal of demolition debris and other items which cannot be recycled, reused, or otherwise found useful. The New Hampshire Department of Environmental Services (DES) supports this bill.

The issues involving construction and demolition debris (C&D) are both technically complex and sensitive. The C&D study committee established by HB 517 during the last legislative session has yet to complete its study and issue its report on certain C&D issues. A moratorium banning the combustion of wood derived from C&D remains in place. One bill this session, HB 1438-FN, would require C&D to be recycled, effectively banning the landfilling of unprocessed C&D. Another, HB 1534, would maintain C&D as a solid waste, essentially preventing its components from becoming recycled products. Recognizing the divergence of ideas surrounding C&D, the overall solution to C&D management in New Hampshire remains in a state of flux.

As a result of this uncertainty and the possibility that the state's two largest C&D processors may cease operating in the near future because of potential regulatory restrictions and market conditions, it is wise to consider a secure landfill as a potential method of disposal. While this disposal method ranks last on the state's waste management hierarchy established under RSA 149-M:3 and while DES is cognizant of environmental problems with similar landfills in Florida, it is, nonetheless, a option that should be studied. DES would be pleased to assist the study committee in providing technical information and expertise as needed.

DES appreciates the opportunity to support this bill. If you have any questions regarding this letter of testimony, please do not hesitate to call me or Tony Giunta, P.G. at 271-2905.

Sincerely,


Michael P. Nolin
Commissioner

cc: Tony P. Giunta, P.G., Director, Waste Management Division
Paul L. Heitzler, P.E., Esq., Administrator, Waste Management Division
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